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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADAWendell Brown,
Plaintiff
v.
Bank of America, N.A., et al.,
Defendants

Case No. 2:24-cv-00867-CDS-DJA

Order Setting Hearing on
Bank of America's Motion to Dismiss and
Quality Loan's Joinder

Defendants Bank of America (BANA) and Quality Loan Service Corporation, by way of status report, notify the court that the Ninth Circuit Court of Appeals granted their motions to dismiss plaintiff Wendell Brown's appeals for lack of jurisdiction. ECF No. 59. The mandate issued on December 13, 2024. ECF No. 60.

In the status report, the defendants ask to be heard on Brown's request for entry of default; however, defendants' request is moot. Brown's motion for entry of clerk's default was denied on September 9, 2024. ECF No. 54. Defendants also request a hearing on the motion to dismiss. ECF No. 59 at 2. It is the practice of this court to allow more junior members of a litigation team the opportunity to present oral argument. In the interest of providing such opportunity, this matter is set for hearing.

The Court notes that in his opposition to the motion to dismiss, Brown refers solely to an amended complaint. ECF No. 11. Because Brown's motion for leave to amend (ECF No. 14) was denied (ECF No. 54), Brown must be prepared to argue the motion to dismiss based on his original complaint. It is ordered that the parties must appear for a hearing on January 6, 2025, at 10:00 a.m. in LV Courtroom 6B to address BANA's motion to dismiss (ECF No. 7) and Quality Loan's joinder to it (ECF No. 9).

Dated: December 17, 2024


Cristina D. Silva
United States District Judge